

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Chapter 7 Estate of Bernard L.  
Madoff,

Plaintiff,

v.

ABN AMRO BANK N.V. (presently known  
as NATWEST MARKETS N.V.),

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Lead Adv. Pro. No. 10-05354 (CGM)

**ORDER DENYING NATWEST MARKETS N.V.'S  
MOTION TO DISMISS COMPLAINT**

Defendant ABN AMRO Bank N.V. (presently known as NatWest Markets N.V.) filed a motion to dismiss the Consolidated Second Amended Complaint (the “Complaint”) under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(6) (the “Motion”) on May 23, 2022. The Motion came on for hearing before the Court on December 14, 2022 (the “Hearing”). The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, the Complaint, and the statements of counsel at the Hearing, and the

Court has issued a memorandum decision, dated March 3, 2023, regarding the Motion (the "Decision"). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is denied.
2. The deadline for Defendant to file an answer to the Complaint is May 15, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order. Nothing herein shall modify the substantive or procedural rights of Defendant should it seek to appeal any part of this Order.

**Dated: March 15, 2023**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

---

**Hon. Cecelia G. Morris**  
**U.S. Bankruptcy Judge**